

CUSTOMER NO.: 24498
Serial No.: 10/562,779
Date of Office Action: 10/15/08
Response dated: 03/13/09

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Remarks/Arguments

Claims 1-18 were pending in the application.

In the current amendment, claims 1-18 are amended to address informalities and to clarify certain aspects of the claimed invention. No new matter is added.

Claims 1 – 18 are now pending in the application.

Objection of claims 1 – 9

The Office Action objected to claims 1 - 9 as being of informalities: The Examiner suggests that the preamble "Method of . . ." should be changed to -- "A method of . . ." - throughout the claims.

Claims 1 - 9 are amended substantially per the Examiner's suggestion to address this objection. Claim 1 is amended to "A method of . . ." Claims 2-9 is amended to "The method of . . ." Withdrawal of the objection of claims 1 – 9 is respectfully requested.

Claims 10-18 are amended in similar fashion.

Rejection of claims 1 – 9 under 35 U.S.C. 101

Claims 1 – 9 are amended by replacing "Method of navigation within a collection of sound documents" with "A method of selecting and reproducing of a sound document within a collection of sound documents." Emphasis added. The "method of selecting a sound document" is a functional change or transformation which enables the user to successfully reproduce the audio contents that the user desires. As such, claim 1, as amended, and claims 2-9, which depend from claim 1, satisfies the patentable subject matter requirements of 35 U.S.C. §101.

Furthermore, claim 1 recites the feature of "positioning graphics identifiers corresponding to at least part of the sound documents on a graphics page of the

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display device." Emphasis added. Applicants submit that the process is tied to a particular apparatus, the apparatus being a "graphics page of the display device." As such, claim 1 satisfies the patentable subject matter requirements of 35 U.S.C. §101.

Withdrawal of the rejection to claims 1 – 9 under 35 U.S.C. 101 is respectfully requested.

Rejection of claims 10 – 18 under 35 U.S.C. 112, second paragraph

The Office Action rejected claims 10 - 18 under 35 U.S.C. 112, second paragraph, alleging that the term "central unit" in claim 10 is a relative term which renders the claim indefinite.

Applicants respectfully disagree. Page 6, lines 6-9, and item 3 of Fig. 1 of the specification describe and define a central unit. Fig. 1 shows a reproduction apparatus such as a multimedia receiver 1 which comprises a central unit 3 linked to, for example, the following items such as: a program memory 12, remote control interface 7, audio contents memory 8, DEMUX Tuner 4, Digital Networks interface 5, Audio/video interface 10, and an on screen display (OSD) circuit 11. Thus, Applicants submit that a "central unit" is fully supported by the specification and is not a relative term which would render claim 10 indefinite. As such, Applicants submit that claims 11 – 18, which depend from claim 10, are definite. Withdrawal of the rejection of claims 10 – 18 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Rejection of claims 1 – 18 under 35 U.S.C. 103(a)

The Office Action rejected claims 1 - 18 under 35 U.S.C. 103(a) as unpatentable over Graham (U.S. Publication No. 2004/0175036), hereinafter "Graham," in view of Konig et al. ("An Acoustic Database Navigator for the Interactive Analysis of Psycho-Acoustic sound Archives"), hereinafter "Konig."

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Independent claim 1, as amended, recites in part:

" - analyzing the documents stored to determine audio parameters specific to each document,

' - positioning graphics identifiers corresponding to part of the sound documents on a graphics page of the display device, a position of each graphics identifier being dependent on the parameters calculated previously for a given document". Emphasis added.

Graham generally discloses a user interface for displaying information and more particularly to user interfaces for retrieving and displaying multimedia information that may be stored in a multimedia document.

Graham recites in the paragraph 14, cited by the Office Action:

"A first set of one or more video keyframes extracted from the video information occurring between a start time (ts) and an end time (te) associated with the multimedia document, where (te>ts), are displayed in a first section of a first area of the GUI. Text information corresponding to the information of the first type occurring between ts and te is displayed in a second section of the first area of the GUI." Emphasis added.

The Office Action seems to consider that the "audio and video keyframes" are graphic identifiers of the sound document. But the cited paragraphs 13 and 14 of Graham do not disclose that the keyframes are placed in specific locations of the screened area of the menus shown in figures 3, 6, 8, 10-13. Applicant's claim 1 contains the feature that the position of each graphics identifier is dependent on "audio parameters specific to each document." However, according to Graham, the location of the information on Graham's screened menu does not depend on the audio parameters specific to each document. In other words, all the keyframes of all the different audio documents are placed in the same area: "a first section of a first area of the GUI," while the text information is displayed "in a second section of

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the first area of the GUI." Therefore, the cited portion of Graham does not disclose the feature of "a position of each graphics identifier being dependent on the parameters calculated previously for a given document," as recited in claim 1.

Konig generally refers to an acoustic database Navigator for the interactive analysis of acoustic archives. Konig, at page 61, 1st column, under Chapter 2, apparently discloses that the multivariate features are projected in a two-dimensional display with coordinate axes and that "*this results in a two-dimensional display with coordinate axes, that cannot be associated with interpretable factors or features.*" Therefore, the coordinates of the graphics identifiers associated with data in the summary window, as disclosed by Konig, are not "dependent on the parameters calculated previously for a given document," as recited in claim 1. The manners taught by Konig of placing the points associated with elements on the screen are not the same as that of the claimed invention. Konig discloses the placing by projection, whereas the claimed invention relates to the selection and the reproducing of selected documents according to their positions on a screen.

Independent claim 1, as amended, also recites in part:

"automatically selecting and reproducing successively the sound documents according to a strategy taking into account the position of the graphics identifiers of the documents in the graphics page and a geometric characteristic specific to the reproduction apparatus, a total duration of the reproductions being equal to a sum of durations of the selected sound documents."

The Examiner admits that Graham fails to explicitly teach this feature and relies on Konig to remedy this deficiency. However, this feature is not disclosed nor suggested by Konig.

Konig apparently teaches that the database contains sound samples and features calculated from these samples (see first lines of the right column of the page 60). The goal of Konig is the creation of a new sound document by the combination of samples.

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Konig, at page 63, 2nd column, Chapter 4 recites the following:

"The idea is that a desired sound could first be created by inserting and moving a sample on the map level. The created sound could constantly be replayed and refined by movements on the map. After a satisfactory sound has been achieved, fine tuning could take place in the Snow Flake representation or in most detail in the spectrum representation."

Konig, however, does not teach that the document produced by the combination of samples is reproduced. Therefore, Konig does not teach the claimed feature of "automatically selecting and reproducing successively the sound documents according to a strategy taking into account the position of the graphics identifiers of the documents in the graphics page and a geometric characteristic specific to the reproduction apparatus, a total duration of the reproductions being equal to a sum of the durations of the selected sound documents" as recited in claim 1.

In conclusion, applicants submit that for at least the reasons discussed above independent claim 1 and the claims that depend from claim 1 are not anticipated by Graham and Konig taken alone or in combination. Therefore, the claim 1 is novel and non-obvious with regard to the cited documents.

Claims 2-9 ultimately depend from claim 1 and are allowable at least by virtue of their dependence on an allowable base claim.

Independent claim 10 is directed to a reproduction apparatus, having features similar to those of claim 1. Therefore, Claim 10 is allowable for at least the same reasons that claim 1 is allowable. Claims 11-18 ultimately depend from claim 10, and are allowable at least by virtue of their dependence on an allowable base claim.

Withdrawal of the rejection of claims 1 – 18 under 35 U.S.C. 103(a) is respectfully requested.

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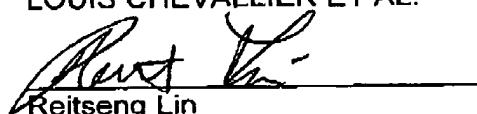
Conclusion

Having fully addressed the Office Actions' rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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